

52



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,899	02/13/2004	Yousuke Yoneda	1419.1090	6096

21171 7590 01/03/2005

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

CEGIELNIK, URSZULA M

ART UNIT	PAPER NUMBER
----------	--------------

3714

DATE MAILED: 01/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/777,899

Applicant(s)

YONEDA, YOUSUKE

Examiner

Urszula M Cegielnik

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/20/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

• Art Unit: 3714

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 27. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites "one ends of right and left driven links". It is not clear whether applicant is intending to structurally claim an end, a right driven link, and

• Art Unit: 3714

a left driven link, or not. Claims 8 and 9 recite similar language.

Claim 7 recites the limitation "the front wheel axle" in line 7-8. There is insufficient antecedent basis for this limitation in the claim.

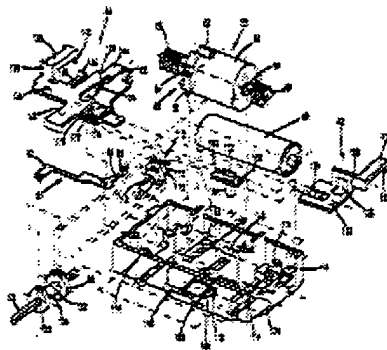
Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Wu et al.

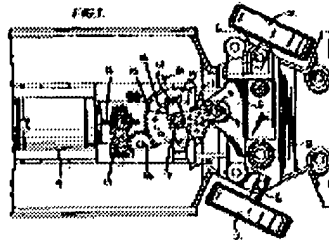


Wu et al. disclose a motor (36) mounted on a front part of a chassis (14) for driving a front wheel (22,24); the motor (36) is mounted adjacent to a front wheel axle (18); the motor (36) is detachably mounted on the chassis (14); an intermediate shaft (112) comprising a first gear (116) and a second gear (118) which are engaged with a third gear (56) fixed on a motor shaft (54) of the motor (36) and a fourth gear (98) fixed on the front wheel axle (18) and is detachably

Art Unit: 3714

mounted (see *Figure 5, for example*) on the chassis (14) between the motor shaft (54) and the front wheel axle (18).

Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Great Britain Patent Publication No. GB2187108, hereinafter UK '108.



UK '108 discloses a motor (9) mounted on a front part (*the portion encompassing the steering assembly*) of a chassis (*e.g. vehicle body structure*) for driving a front wheel (2); an end of right and left driven links (6) being supported by the chassis (*e.g. vehicle body structure*) swingably in a horizontal direction, a driving link (5) crossed over between the other end of the right and left driven links (6), two spindles (*the distal portion encompassing reference numeral 6*) swingably supported by the right and left driven links (6), and each of the two spindles (*the distal portion encompassing reference numeral 6*) is connected to the front wheel axle (*the portion extending proximate the interior portion of reference numeral 2*).

Claims 1, 7, 10, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Tai-Cheng.

Tai-Cheng discloses a motor (60) mounted on a front part of a chassis () for driving a front wheel (22); an end of right and left driven links (*the bottom planar portion encompassing reference numeral 5*) being supported by the

Art Unit: 3714

chassis () swingably in a horizontal direction, a driving link (52,51) crossed over between the other end of the right and left driven links (*the bottom planar portion encompassing reference numeral 5 and connected to portion encompassing reference numeral 52 at one end*), two spindles (*the cylindrical portion situated between two planar portions encompassing reference numeral 5*) swingably supported by the right and left driven links (*the bottom planar portion encompassing reference numeral 5 and connected to portion encompassing reference numeral 52 at one end*), and each of the two spindles (*the cylindrical portion situated between two planar portions encompassing reference numeral 5*) is connected to the front wheel axle (*the inner shaft portion extending from portion encompassing reference numeral 22*); the driving link (52,51) comprises a permanent magnet (48), and coils (49,50) provided at positions across the permanent magnet (48); the driving link (52,51) comprises a non-magnetized magnetic material (*the portions of reference numeral 51 excluding portions encompassing reference numerals 49 and 50*), and coils (49,50) provided at positions across the non-magnetized magnetic material (*the portions of reference numeral 51 excluding portions encompassing reference numerals 49 and 50*).

Claims 1 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Belton.

Art Unit: 3714

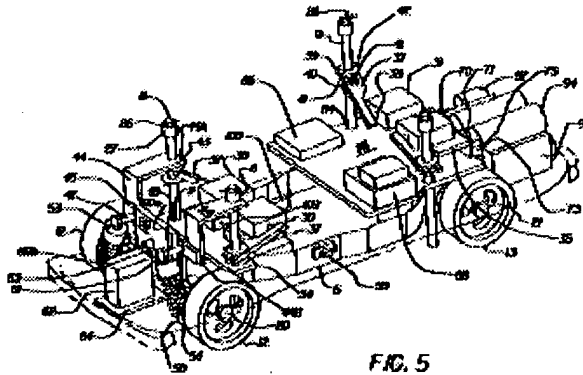


FIG. 5

Belton discloses a motor (30) mounted on a front part of a chassis (5) for driving a front wheel (12); a rear wheel (13) is provided with a suspension structure (68,69,70,71).

Allowable Subject Matter

Claims 8, 9, 11, 12, 14, 15, 17, and 18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

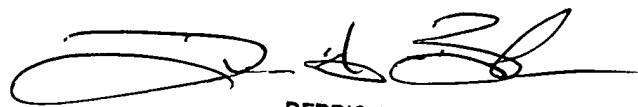
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Urszula M. Cegielnik whose telephone number is 571-272-4420. The examiner can normally be reached on Monday through Friday, from 5:45AM - 2:15PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris H. Banks can be reached on 571-272-4419.

Art Unit: 3714

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 for both regular and After Final communications.

Urszula M. Cegielnik
Assistant Examiner
Art Unit 3714

A handwritten signature in black ink, appearing to read 'D. Banks', with a long horizontal stroke extending to the right.

DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700